

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

SHANI GOLDSMITH	§	
	§	
VS.	§	CIVIL ACTION
	§	
LOWES HOME CENTER, INC.	§	NO. 5:04CV221
AND BRETT CHARLTON	§	

MOTION TO DISMISS

COMES NOW, SHANI GOLDSMITH, Plaintiff in the above entitled and numbered cause, moves the Court to dismiss Defendant, BRETT CHARLTON, for the reason that Plaintiff no longer wishes to pursue the claim against BRETT CHARLTON.

WHEREFORE, Plaintiff requests that the Court enter its order dismissing BRETT CHARLTON, WITH PREJUDICE TO THE RIGHTS OF Plaintiff to re-file same or any part thereof, and that all costs of Court be taxed against the party incurring same.

Respectfully submitted,

/s/
William S. Hommel, Jr.
State Bar No. 09934250
William S. Hommel, Jr., P.C.
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Motion to Dismiss was forwarded to all counsel of record, via electronic delivery and to Brett Charlton via Certified Mail, Return Receipt Requested, on this 26th day of April 2006.

/s/
William S. Hommel, Jr.